



IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

OKAMOTO et al. Atty. Ref.: 2018-808; Confirmation No.

Appl. No. 10/721,249 TC/A.U. 3747

Filed: November 26, 2003 Examiner: Carl Stuart MILLER

For: INJECTION HOLE PLATE AND FUEL INJECTION APPARATUS HAVING THE SAME

* * * * *

June 29, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

The Office Action dated 06/17/2005 appears to be a duplicate copy of the Office Action mailed 05/04/2005 to which the applicant has already responded on June 3, 2005. In fact, the latest Office Action mailed 06/17/2005 even still refers to applicant's earlier response of January 21, 2005 rather than to applicant's most recent supplemental response of June 3, 2005.

A copy of applicant's June 3, 2005 response is attached together with a true copy of a postcard receipt evidencing the USPTO receipt of this further response.

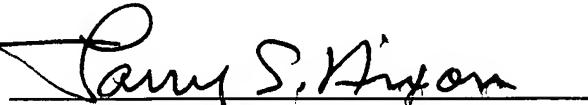
It is assumed that some error at the USPTO has caused the issuance of this latest duplicate and outdated Office Action mailed 06/17/2005. Investigation and clarification of the record is respectfully requested.

OKAMOTO et al.
Appl. No. 10/721,249
June 29, 2005

The undersigned has attempted to contact Examiner Miller by telephone on Friday June 24, 2005 and left a voice mail to the above effect but no response has yet been received.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
Larry S. Nixon
Reg. No. 25,640

LSN:vc
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100



Serial No.: 10/721,249
Applicant: OKAMOTO
Title: ET AL

Atty: CSN
Date: 6-3-05
Client: 2018
Ref: 808

Amendment
 Pages Specification
 Claims
 Sheets Drawings: Formal _____
 Informal _____
 Declaration (_____ Pages)
 Assignment
 Priority Document
 Base Issue Fee Transmittal
 Fee (Check)

Other: Response



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 2018-808

C# M#

OKAMOTO et al.

TC/A.U.

3747

Serial No. 10/721,249

Examiner: Carl Stuart MILLER

Filed: November 26, 2005

Date: June 3, 2005

Title: INJECTION HOLE PLATE AND FUEL INJECTION APPARATUS HAVING THE
SAME

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

RESPONSE

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.

Fees are attached as calculated below:

Total effective claims after amendment	0	minus highest number	
previously paid for	20	(at least 20) =	0 x \$50.00
			\$0.00 (1202)/\$0.00 (2202) \$
Independent claims after amendment	0	minus highest number	
previously paid for	3	(at least 3) =	0 x \$200.00
			\$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$360.00 (1051)/\$180.00 (2051) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$450.00 (1252)/\$225.00 (2252)
Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)
Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$

Terminal disclaimer enclosed, add
\$130.00 (1814)/ \$65.00 (2814) \$

Applicant claims "small entity" status. Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee
\$180.00 (1806) \$

Assignment Recording Fee
\$40.00 (8021) \$

Other:

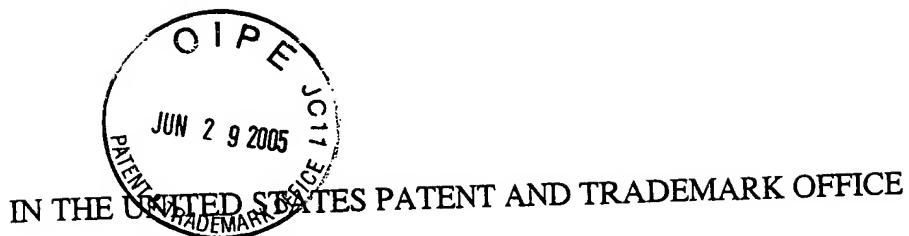
TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor
Arlington, Virginia 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
LSN:vc

NIXON & VANDERHYE P.C.
By Atty: Larry S. Nixon, Reg. No. 25,640

Signature: Larry S. Nixon



In re Patent Application of

OKAMOTO et al.

Atty. Ref.: 2018-808; Confirmation No. 6130

Appl. No. 10/721,249

TC/A.U. 3747

Filed: November 26, 2003

Examiner: Carl Stuart MILLER

For: INJECTION HOLE PLATE AND FUEL INJECTION APPARATUS HAVING THE
SAME

* * * * *

June 3, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

This communication is in response to the Office Action dated 05/04/2005. It is once again attempted to respond completely to the outstanding restriction requirement. At the same time, such restriction requirement is respectfully traversed.

The Examiner has defined three patentably distinct species (i.e., no one of which is made "obvious" in view of any other or combination of others):

Group I – Figures 1, 10, 13, 15, 17, 19, 20, 22, 24 and 26;

Group II – Figures 7A, 7B and 7C; and

Group III – Figures 8A, 8B and 8C.

The Examiner agrees that at least claim 1 is generic.

Although the Examiner has held each of three above-identified groups to be patentably distinct, the Examiner nevertheless has required the applicant to select one embodiment from each of these patentably distinct groups. Accordingly, applicant hereby makes the following elections (subject to traversal as noted elsewhere herein):

Group I – applicant elects Figure 10.

Group II – applicant elects Figure 7B.

Group III – applicant elects Figure 8B.

Claims which are readable onto all such elections are believed to comprise claims 1-5 and 14, of which at least claims 1, 2 and 14 are considered generic.

The restriction requirement is respectfully traversed – at least in part because the undersigned does not comprehend the logic behind an election that requires the applicant to choose a combination of features from three patentably distinct species. For example, the injection holes 57 of Figures 10 and 11 are different from the injection hole 57 of Figures 7A-7C and/or Figures 8A-8C. As described in the specification, Figures 7A-7C and 8A-8C all depict modifications of first-side holes (Figures 7A-7C) and second-side holes (Figures 8A-8C) of applicant's first exemplary embodiment. Figure 10 depicts a second exemplary embodiment (and Figure 11 depicts a third exemplary embodiment that is very closely related to that of Figure 10). Other Figures are variously directed to 4th through 10th exemplary embodiments – however the Examiner's restriction requirement does not seem to be logically related to the depicted exemplary embodiments.

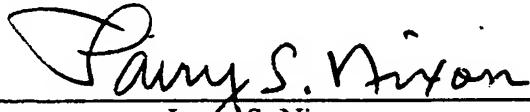
OKAMOTO et al.
Appl. No: 10/721,249
June 2, 2005

Given the history of responses to this restriction requirement, if the above is deemed in any way to be "incomplete", it is respectfully requested that the undersigned be telephoned so that any deficiency can be promptly corrected without the need for further office actions.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Larry S. Nixon
Reg. No. 25,640

LSN:vc
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100